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SC upholds appellate jurisdiction in rent and family cases

• Rejects office objection claiming high courts are final forum in rent matters • Judgement clarifies scope of appellate jurisdiction after 27th Amendment

By Nasir Iqbal

ISLAMABAD: In a loud and clear message, the Supreme Court on Tuesday affirmed its appellate hierarchy under the 27th Amendment by holding that civil petitions concerning rent and family matters, previously adjudicated by high courts under Article 199, are maintainable before it.

The controversy emerged from an office objection regarding the maintainability of a civil petition on the ground that the impugned judgement had been rendered by a high court under Article 199 in a rent matter and, thus, was not maintainable before the SC under the constitutional dispensation introduced through 27th Amendment.

The office objection further contended that following the insertion of Article 175F(1)(c) by the 27th Amendment, high court functions as the final judicial forum in rent matters, and as such, no appeal against a judgement pertaining to a rent matter lies before the SC.

The office also argued that while Article 185(3) confers general appellate jurisdiction upon the SC, Article 175F(1)(c), being a specific provision introduced subsequently, excludes rent matters from all appellate forums beyond the high court.

A three-judge SC bench headed by Chief Justice of Pakistan Yahya Afridi, and comprising Justice Muhammad Ali Mazhar and Justice Muhammad Shafi Siddiqui, overruled the office objection through a short order on Dec 12, 2025, while hearing the case of Messrs Moon Dental Clinic, Islamabad.

In the detailed reasons authored by the CJP, the court cited Article 175-F(1) of the Constitution, which provides for the appellate jurisdiction of the Federal Constitutional Court (FCC).

From a plain and textual reading of Articles 185(3) and Article 175-F(1)(c), the judgement explained that Article 185(3) operates as a general source of appellate jurisdiction of the SC in respect of judgements, decrees, orders or sentences of the high courts, subject only to the exclusion contained within it — namely, cases to which clause (1) of Article 175F applies.

Article 175F(1), in turn, sets out the appellate jurisdiction of the FCC and, by virtue of the proviso to clause (1)(c), expressly excludes cases relating to rent and family matters from its jurisdiction.

The core question before the court, therefore, was whether judgements or orders of a high court pertaining to rent and family matters, which stand expressly excluded Article 175F(1), are removed altogether from the appellate framework beyond the high court, including the Supreme Court, or whether such exclusion places them outside the scope of Article 175(1), thereby attracting the appellate jurisdiction of the SC under Article 185(3).

The judgement clarified that the proviso to Article 175F(1)(c), which states that "no appeal shall lie against a judgement or an order of a high court made under Article 199 in a case relating to rent and family matters," operates as a true proviso and qualifies the general scope of clause (1)(c) by expressly excluding such matters.

By this exclusion, rent and family matters are removed from the operative field of Article 175F(1)(c).

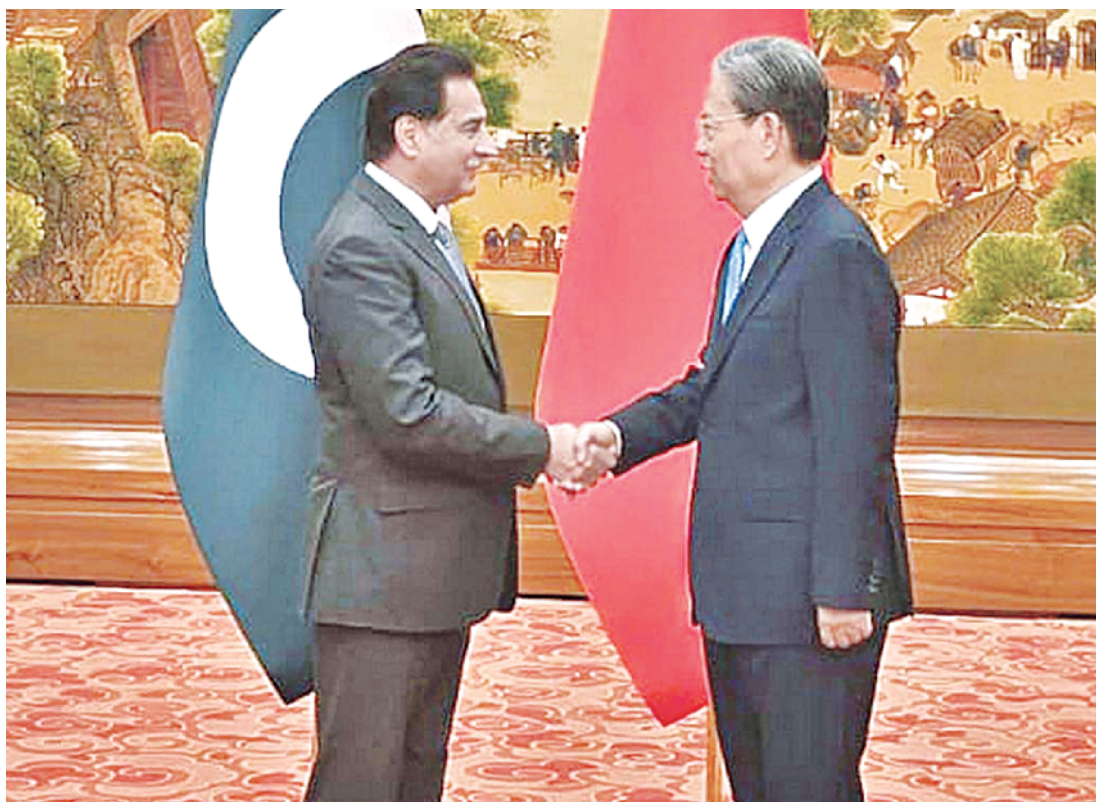
Read in conjunction therewith, the proviso to Article 185(3), which provides that "no appeal shall lie to the Supreme Court in cases to which clause (1) of Article 175F applies", it becomes evident that the bar on the appellate jurisdiction of the SC applies only to cases that actually fall within Article 175F(1).

Since rent and family matters are expressly excluded from the applicability of Article 175F(1)(c), such cases cannot be regarded as falling within Article 175F.

Consequently, petitions arising out of rent and family matters are not barred from the appellate jurisdiction of the SC under Article 185(3), it explained.

The court held that the office objection, premised on the petition arising from a rent matter, was misconceived and rightly overruled.

Accordingly, the SC ruled that the present petition was maintainable and would be proceeded with in accordance with law.



BEIJING: National Assembly Speaker Sardar Ayaz Sadiq shakes hand with Chairman of National People's Congress Zhao Leji during an official visit of Pakistani parliamentarians to China on Tuesday.—APP

Pakistani, Chinese lawmakers vow to boost bilateral ties

By Bakhtawar Mian

ISLAMABAD: National Assembly Speaker Sardar Ayaz Sadiq along with a delegation of lawmakers, on a visit to China, met Chairman of the National People's Congress (NPC) Zhao Leji on Tuesday in Beijing where they discussed steps to strengthen bilateral ties.

The NA speaker said Pakistan's unparalleled and time-tested friendship with China was built on strong foundations of mutual respect and trust.

He emphasised peoples of the two countries were bound together in an unbreakable bond of friendship. He underscored the importance of enhancing parliamentary cooperation, stressing that stronger parliamentary exchanges and further activation of Parliamentary Friendship Groups would reinforce strategic partnership between the two countries.

The NA speaker said that Pakistan-China strategic partnership was vital for sustainable peace and prosperity in the region. He described CPEC as a game-changer for the entire region.

He reiterated Pakistan's resolve to strengthen bilateral ties on the occasion of the 75th anniversary of Pakistan-China diplomatic relations.

Speaker Sadiq thanked Chairman Zhao Leji for the warm reception and hospitality extended to the Pakistani parliamentary delegation. He also formally extended an invitation to the NPC chairman to visit Pakistan.

Mr Leji appreciated the NA speaker's positive sentiments regarding China and reaffirmed that China attaches great importance to its longstanding and friendly relations with Pakistan. He agreed with Mr Sadiq's proposal to further strengthen interparliamentary exchanges between the two countries.

Lawmakers Romina Khurshid Alam, Nauman, Zeeshan Jaffer and Maulana Abdul Ghafoor Haideri were also present at the meeting.

Imaan struggles to avoid arrest as another case resurfaces

Trial court adjourns hearing of controversial tweets case due to non-appearance

By Malik Asad

ISLAMABAD: A case registered against lawyer and activist Imaan Mazari-Hazir and her husband, Hadi Ali Chattha in July 2025 resurfaced on Tuesday, revealing that both had filed pre-arrest bail applications, which could not be taken up on an urgent basis as the couple struggled to avoid arrest.

During the intervening period, Islamabad High Court Bar Association (IHCBA) President Syed Wajid Ali Gilani called Ms Mazari-Hazir and Mr Chattha to his office and assured them of complete safety, stating that no arrest would take place from within the bar premises. He also informed them that the hearing would be scheduled later in accordance with the court's roster.

Subsequently, the Islamabad High Court (IHC) declared the trial court's order against Ms Mazari-Hazir and Mr Chattha null and void. Justice Muhammad Azam Khan, in a two-page written judgement, disposed of the applications and directed that the accused be granted four days to cross-examine the prosecution witnesses.

The court categorically clarified that Ms Mazari-Hazir and her husband shall not be arrested in the present case. However, Justice Azam Khan observed that if the accused fail to appear before the trial court, the protection granted under the order would stand automatically terminated. The trial court was further directed that in case of non-appearance, proceedings may continue in accordance with the law.

Hearing adjourned

Meanwhile, Additional District and Sessions Judge Muhammad Afzal Majoka adjourned the hearing of the controversial tweets case without proceeding further, as neither Ms Mazari-Hazir nor her husband Mr Chattha appeared before the court. Their assistant defence counsel attended the hearing and informed the court that both accused were filing fresh bail applications before the IHC and that the written IHC order had not yet been received by the trial court.

The court directed the defence to submit a copy of the newly registered FIR and ordered the accused to appear at 8:30am on Wednesday (today) so that the hearing could be concluded. The judge also remarked that appropriate orders could be passed if the accused failed to appear by 1:30pm, after which the court took a brief recess.

In the meanwhile, Ms Mazari-Hazir and Mr Chattha learnt that another FIR related to the Baloch Yakjehti Council (BYC) protest had also been registered against them, in which they were not on bail. The couple along with a few fellow lawyers and some vloggers, remained in the IHCBA's president office, while a large number contingent of police officials, including a female station house officer, stayed outside the bar premises.

Leader of the Opposition in the Senate, Allama Raja Nasir Abbas, visited Ms Mazari-Hazir and Mr Chattha at the office of the IHCBA president to express solidarity. Speaking to the media, he criticised what he described as a broader crisis of justice in the country, stating that people approached courts seeking relief but were instead subjected to repression.

Mr Abbas said that civil society members, lawyers, and political voices were being silenced, while the people of Balochistan continued to suffer. He questioned the registration of an FIR after six months, alleging that the case was intended to incarcerate the accused "at all costs".

Terming the proceedings against Ms Mazari-Hazir and Mr Chattha a grave injustice, he warned that such actions further erode public confidence in the judiciary. He added that accountability must not turn into revenge and emphasised that the Constitution guarantees citizens the right to life, liberty, and freedom of expression.

Ms Mazari-Hazir and her husband Mr Chattha remained present at the IHCBA president's office till the filing of this report.

Another 25 Katcha dacoits lay down arms

By Tariq Saeed Birmani and Irfanul Haq

DERA GHAZI KHAN/ RAHIM YAR KHAN: Twenty-three wanted Katcha dacoits surrendered in Rajanpur and two in Rahim Yar Khan on Tuesday during the ongoing operation in the two districts.

Rajanpur DPO Muhammad Imran said that ringleaders from various criminal gangs were among those who had surrendered.

"These gangsters were wanted in cases of police martyrdom, murder, kidnapping and robbery," he said, adding that the surrendered gangsters would be prosecuted in accordance with the law.

At least 23 more dacoits surrendered to the police in Rajanpur, bringing the total number to 52 during the operation in the district. On Monday, 29 gangsters had surrendered along with their weapons.

A large-scale police operation continues in the Katcha areas of Rajanpur, with drones being deployed to target their hideouts. During the operation, seven hideouts were destroyed and numerous gangsters were seriously injured.

Meanwhile, two notorious dacoits, Qabil Sakhani and Morzada Dashti, each carrying a head money of Rs10 million, also surrendered to police in the Katcha area of Rahim Yar Khan.

DPO Irfan Ali Samoon said the drone operation in the Katcha area had yielded significant success, adding that both dacoits, who had been actively fighting against the police for a long time, laid down their weapons and voluntarily surrendered.

The DPO urged the remaining dacoits hiding in the forest areas to surrender their weapons and present themselves before the law and the police.

He assured that no injustice would be done to those who surrendered and that they would be given the opportunity to face their cases and return to a better, peaceful life.

He said the operation would continue until the last dacoit either surrendered or was brought to justice.

"The Katcha area, which remained a hub of crime for decades, has now reached a historic turning point. This development will have positive impacts on the security of Rahim Yar Khan as well as neighbouring provinces and districts," he added.

Police indispensable to internal security: CDF

Field Marshal Munir visits National Police Academy; senior officers reaffirm commitment to strengthening standards

Dawn Report

ISLAMABAD: Chief of Defence Forces (CDF) and Chief of the Army Staff (COAS) Field Marshal Asim Munir emphasised that a strong, professional, and people-centric police force is indispensable for ensuring internal security and the rule of law, according to an Inter-Service Public Relations (ISPR) statement issued on Tuesday.

The army chief made these remarks during a visit to the National Police Academy in Islamabad, where he addressed senior police officials, and interacted with officers of the Police Service of Pakistan.

CDF Munir also acknowledged the supreme sacrifices rendered by police personnel in the face of terrorism, crime and internal security challenges, it stated.

"The field marshal remarked that the duty of the police to enforce law and order is a sacred trust and that the armed forces will always stand fully with the brave and proud police personnel of Pakistan," said the statement.

Senior police officers, on the occasion, reaffirmed their commitment to further strengthening policing standards, enhancing professional capacity and advancing necessary institutional reforms to meet contemporary security challenges, it said.

The statement further said the field marshal was "briefed on the School for High-Impact Elite Law Enforcement Development (SHIELD), as well as training programmes and initiatives aimed at capacity building and modernisation of the police".

"He also interacted with Cadet Assistant Superintendents of Police (ASPs), where he highlighted the pivotal role of the police as the first line of defence in safeguarding the lives, property, and honour of citizens."

During the visit, CDF Munir also laid a wreath at the Police Martyrs' Monument and offered prayers for martyrs, "paying solemn tribute to the Shuhada of the Police who laid down their lives in the line of duty while safeguarding peace, upholding the rule of law, and ensuring public safety across the country".

The military's media wing stated that the CDF was presented with a guard of honour on arrival at the academy and was received by the commandant.

Interior Minister Mohsin Naqvi and Minister of State for Interior Talal Chaudhry were also present during the visit.

Last week, Mr Naqvi visited the National Police Academy and reviewed the ongoing renovation. He also gave necessary instructions to the commandant.

PTI moves high court for meetings with Imran

• PTI claims several held, injured after police scuttle rally in Pindi • Aleema seeks brother's release; Uzma confident Feb 8 protest will 'shut down' entire country

By Malik Asad and Ikram Junaidi

ISLAMABAD: The PTI on Tuesday moved the Islamabad High Court (IHC) seeking permission to meet incarcerated leader Imran Khan and his wife Bushra Bibi in Adiala jail, as well as an order by the court to end their unlawful solitary confinement.On the other hand, the Punjab police used force to disperse a PTI protest in Rawalpindi after the former ruling party wrapped up its sit-in outside the prison and decided to stage a rally in the garrison city. The PTI, in a statement posted on X after midnight, said the police crackdown resulted in several arrests and injuries.

A group of about 17 senators, including Senator Barrister Syed Ali Zafar, approached the high court under Article 199 of the Constitution, making the Punjab Home Department and the Adiala jail superintendent respondents.

The petition challenged the alleged unlawful and unconstitutional use of solitary confinement and other inhumane practices against Imran Khan and Bushra Bibi in jail. According to the petition, the continued solitary confinement amounts to torture and violates fundamental rights guaranteed under the Constitution.

Barrister Zafar said the senators approached the court in discharge of their constitutional duty of parliamentary oversight and to safeguard human dignity and the rule of law.

The petition maintained Imran Khan and Bushra Bibi had been kept in prolonged isolation for the last two months without any judicial order or statutory justification under the Pakistan Penal Code or the Prisons Act.

It alleged denial of basic prisoner entitlements, including access to books, newspapers, TV, family visits, and confidential meetings with counsel, as well as the arbitrary refusal to allow lawmakers to meet them.

The senators contended that these measures were punitive, politically motivated, and part of a broader pattern of coercive treatment of political detainees, undermining constitutional democracy and parliamentary oversight.

Separately, PTI interim chairman Barrister Gohar, former National Assembly speaker Asad Qaiser and PTI Secretary General Salman Akram Raja also arrived at the IHC to seek the fixing of cases related to Mr Khan and Bushra Bibi.

According to sources, the PTI leadership requested a meeting with the IHC chief justice, but the meeting could not take place.

Speaking to the media, Barrister Gohar said he had gone to the chief justice's chamber to request early fixation of the cases but was unable to meet him. He added that another attempt would be made later.

Barrister Gohar said the PTI had approached the IHC about 15 times but could not secure a hearing date, stressing that a woman's appeal should be heard expeditiously.

Crackdown on PTI rally

The PTI supporters and family members of Imran Khan staged a sit-in outside the prison for a few hours after they were barred from meeting the former prime minister in the morning. In the late evening, they decided to stage a rally in the garrison city, prompting the police to disperse the crowd.

A video posted by the PTI on X showed several cars leaving the jail area, with party workers and supporters moving on foot. "Even today, Chairman Imran Khan and Bushra Bibi were not granted a meeting with the family. Khan sahib's sisters and party workers have set off for a protest rally in Islamabad," the post's caption read.

However, the rally was scuttled by the police, with videos of the crackdown posted on X by the PTI. These videos could not be independently verified. The PTI claimed that its workers were also injured in the action, and several, including minors, were allegedly rounded up. It also alleged that the police roughed up the sisters of Mr Khan and other party leaders.

Visit to Adiala

In the morning on their way to the prison, the PTI leaders were stopped at 'DHA Naka' instead of 'Factory Chowk', but were allowed to move a little further after some time.

Imran's sister Uzma Khanam said that it has been decided that wherever the police stop them, they will hold 'Quran Khwani' there. She said that on February 8, the entire country "will be jammed" to protest the alleged rigging in the 2024 elections.

She urged the party supporters to fly kites with the name of Imran Khan on Basant so that "his name and picture would be on land and in the skies".

Replying to a question, Aleema Khan said they wanted the release of Imran Khan instead of just meetings.PTI leader Shafiullah Jan said that in the past, the authorities used to stop PTI workers three kilometres from the jail, but on Tuesday, they were stopped eight kilometres from the jail.